

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Morten BRYHN et al.)	Group Art Unit: 1617
)	
Application No.: 10/582,978)	Examiner: Timothy E. Betton
)	
Filed: June 15, 2006)	Confirmation No.: 8212
)	
For: USE OF A FATTY ACID)	
COMPOSITION COMPRISING AT)	<u>VIA EFS-WEB</u>
LEAST ONE OF EPA AND DHA)	
OR ANY COMBINATIONS)	
THEREOF)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed non-patent documents are enclosed.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **JP 03-094655** - This document was cited in a Third Party Observation with the Japanese Patent Office on May 29, 2009, in Japanese Patent Application No. 2006-544592. A copy of the English abstract is submitted herein.

2. **JP 2002-180082** - This document was cited in a Third Party Observation with the Japanese Patent Office on May 29, 2009, in Japanese Patent Application No. 2006-544592. A copy of the English abstract is submitted herein.

3. **EZAKI, Osamun, "Mechanism of prevention of lifestyle related diseases by fish oil intake" Pharmacia, No. 35, Vol. 11, pp. 1146-1150 (1999).** - This document was cited in a Third Party Observation with the Japanese Patent Office on May 29, 2009, in Japanese Patent Application No. 2006-544592. An English translation is submitted herein.

4. **Third Party Observation in Japanese Patent Application No. 2006-544592** - A copy of the English translation is submitted herein.

Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law,

Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

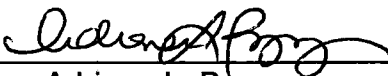
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 22, 2009

By: 
Adriana L. Burgy
Reg. No. 48,564
(202) 408-4000